

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Revision of the Commission's Rules)	CC Docket No. 94-102
To Ensure Compatibility with)	
Enhanced E911 Emergency Calling Systems)	
)	
Phase II Compliance Deadlines for Non-)	
Nationwide CMRS Carriers)	

To: Wireless Telecommunications Bureau, Policy Division

**SOUTHERN ILLINOIS RSA PARTNERSHIP
D/B/A FIRST CELLULAR OF SOUTHERN ILLINOIS
SUPPLEMENT TO PETITION FOR EXTENSION OF THE
IMPLEMENTATION SCHEDULE FOR PHASE II OF ENHANCED 911 SERVICES**

Southern Illinois RSA Partnership d/b/a First Cellular of Southern Illinois ("Petitioner"), by its attorneys, hereby supplements its request for a temporary waiver of Section 20.18(f) of the Commission's rules and an extension of the September 1, 2003 and subsequent deadlines to implement Phase II of Enhanced 911 ("E911") services, in which Petitioner sought a temporary waiver of up to twenty-four months of the requirement that Commercial Mobile Radio Service ("CMRS") carriers who have selected a network-based Phase II E911 solution, and who have requested an extension of time under the provisions of the Commission's Order in *Revision of Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket 94-102, Order To Stay, 17 FCC Rcd 14841 (rel. July 26, 2002), following a phased in implementation schedule beginning September 1, 2003 or within six months of receiving a valid Public Safety Answering Point ("PSAP") request for Phase II implementation, whichever is later. This Supplement is filed in compliance with the Commission's *Order To Stay*, CC Docket 94-102, FCC 03-241 (rel. October 10, 2003).

Petitioner is a Tier III, rural cellular carrier planning to deploy E911 Phase II service using a network-based solution, consistent with Section 20.18(f) of the Commission's rules, that will provide all subscribers and roamers with automatic location identification technology. Petitioner has presented to the Commission a request for temporary relief that is specific, focused, and limited in scope. Petitioner has encountered technological limitations which are detailed in the record of Petitioner's filings. Nevertheless Petitioner is undertaking concrete steps toward full compliance with E911 implementation requirements.

As previously disclosed, Petitioner has successfully implemented E911 Phase I services in much of its service area. Phase I implementation has been completed for all requesting PSAPs, except in Massac County, where the PSAP remains in the process of installing Phase I capable equipment. The State of Illinois administers a PSAP and carrier funding mechanism for Phase I services. Since the filing of Petitioner's request for relief, the state has added a funding mechanism for Phase II E911 services. The new program includes provisions for reimbursement of carriers' costs for E911 implementation. Unfortunately, the available funds have been virtually depleted by Phase I costs, leaving a very small resource for reimbursement of Petitioner's Phase II costs.

As disclosed, Petitioner provides wireless services using a combination of AMPS and CDMA technologies, and plans to add GSM digital transmission capacity. Petitioner has continued to negotiate with vendors of hardware and software products that comply with the Phase II implementation requirements. Together they have endeavored to solve compatibility problems with Petitioner's cellular base station and switching equipment manufactured by Motorola, Inc. Petitioner received promising indications from Andrew Corporation (formerly

Grayson Enterprises), as previously described, for the potential installation of the “Geometrix” system, which may support Phase II services on Petitioner’s CDMA, AMPS and GSM networks. Andrew Corporation has commenced customized research and development for Petitioner’s system. The objective is to configure a workaround of the Motorola incompatibility obstacle. Current projections lead Petitioner to expect that it will be able to deploy E911 Phase II network-based services by summer 2004 for CDMA and analog customers, and for roamers.

Petitioner continues with its plan to begin offering GSM services by the first quarter of 2004 over a network supplied by Ericsson. The Andrew-designed Phase II deployment will be compatible with the GSM system, and will deliver the same network-based Phase II services over the GSM network as it will deliver over Petitioner’s AMPS and CDMA systems. GSM Phase II services will be deployed as soon as possible after the GSM overlay is constructed.

Petitioner has no available funds to meet its E911 Phase II obligations. As mentioned, the State fund will cover only a minor percentage of Petitioner’s overall expense of deploying and operating Phase II services. To obtain capital, Petitioner is working with Farm Credit Leasing, a subsidiary of Petitioner’s lender, CoBank, to execute a capital lease arrangement.¹ Phase II development costs alone are \$450,000, which amount has been disbursed to Andrew Corporation as part of a Purchase Order to begin work. The total cost of Phase II implementation will be about \$2,500,000. All of Petitioner’s E911 Phase II costs will be submitted to the State of Illinois, but eligibility for reimbursement of any cost component will not be determined until January 4, 2004.

To date, Petitioner has received requests for Phase II services from six of thirteen PSAPs who have also requested Phase I service in Petitioner's service area. While a state sponsored funding mechanism has been authorized, the requesting PSAPs are not yet ready to receive and utilize E911 location data. Nevertheless Petitioner continues to exchange updated information and to coordinate implementation schedules with the PSAPs as they proceed toward Phase II capability.

Despite formidable challenges, Petitioner is making continuous progress in its pursuit of a practical and effective means to deploy Phase II services in its service area. Having identified a viable path to compliance with the FCC Phase II performance requirements, Petitioner will deliver Phase II services as soon as it is technically able to do so and the PSAPs are prepared to receive and utilize Phase II location data.

In accordance with the Commission's rules and policies Petitioner has presented a well founded request for waiver for good cause shown.² Petitioner has demonstrated that "special circumstances warrant deviation from the general rule, and such deviation will serve the public interest."³ Petitioner herein reaffirms that it has established a "clear path to compliance"⁴ despite the technological problems and previous vendor communications issues that have hindered its progress.

¹ Farm Credit Leasing will review all Andrew Corporation price sheets and documentation before providing the required capital. For example, Petitioner expects to receive in the coming weeks from Farm Credit Leasing specific lease proposals for E911 Phase II costs in years 3 and 4.

² 47 C.F.R. § 1.3.

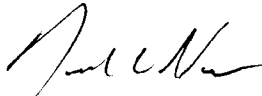
³ Fourth MO&O at 17457; Northeast Cellular Telephone Co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990) citing WAIT Radio V. FCC, 418 F.2d 1153, 1159 (D.C. Cir. 1969).

⁴ *E911 Fourth Memorandum Opinion and Order*, 15 FCC Rcd 17457, para. 44.

Accordingly, Petitioner maintains its request for a temporary waiver of Section 20.18(f) of the Commission's rules, and for an extension of up to twenty-four months, as proposed, with a commitment that Phase II services will be implemented as soon as possible for the benefit of customers and roamers in Petitioner's service area.

Respectfully submitted,

SOUTHERN ILLINOIS RSA PARTNERSHIP
d/b/a FIRST CELLULAR OF SOUTHERN ILLINOIS

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DECLARATION

I, Terry Addington, hereby state and declare:

1. I am President and CEO of Southern Illinois RSA Partnership d/b/a First Cellular of Southern Illinois
2. I am familiar with the facts contained in the foregoing petition supplement, and I verify that those facts are true and correct to the best of my knowledge and belief, except that I do not and need not attest to those facts that are subject to official notice by the Commission.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 10th day of November, 2003.

/Terry Addington/

Terry Addington